

REMARKS

This communication is a full and timely response to the Office Action dated May 13, 2009, and is submitted in conjunction with a Request for Continued Examination. Claims 1, 3, 4, 6, 8, 9, 11, 13, 14, and 16 remain pending. By this communication, claims 1, 6, and 11 are amended, and claims 17-19 are added. Support for the amended subject matter can be found, for example, in paragraphs 72, 77, and 79 of Applicants' disclosure.

In numbered paragraph 4 on page 4 of the Office Action, claims 1, 3, 4, 6, 8, 9, 11, 13, 14, and 16 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Salgado* (U.S. Patent No. 6,504,621) in view of *Mishima* (Japanese Patent Document No. 11-041429). Applicants respectfully traverse this rejection.

Each of independent claims 1, 6, and 11 are amended to recite, in part, a controller that discriminates whether an activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said one or a plurality of compressing/expanding devices is made when the data of the external job is being compressed or expanded by said one or a plurality of compressing/expanding devices, and changes a way to execute the external job and the scanning job by said one or a plurality of compressing/expanding devices depending on a discrimination result (claims 1 and 11), and discriminating whether an activation instruction of the scanning job is made by an operation device of the data processing apparatus or from an outside when a request for processing data of the scanning job by said one

or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by said one or a plurality of compressing/expanding devices; and changing a way to execute the external job and the scanning job by said one or plurality of compressing/expanding devices depending on a discrimination result (claim 11).

The claimed embodiments resolve the contention between device operations by making a distinction between whether a scanning job instruction originates from within the operation device or from an external device. Based on this distinction, where a request for processing the image data of the scanning job is made when the data of the external job is being compressed or expanded, the operation of the compressing/expanding devices is changed (i.e., switching processing). See Applicants' disclosure, pgphs 58-60.

The combination of *Salgado* and *Mishima* fails to disclose or suggest at least the foregoing features.

Salgado discloses an embodiment in which a priority-based management scheme can be used where the job of one service (i.e., copy, print, scan, fax) can interrupt the job of another service. With respect to the sharing of resources, *Salgado* discloses the following:

- 1) The SA/KO specifies the relative priority of each job (See Table 1 above) developed by a service (e.g. the priority of a "Remote File" (FIG. 8) is relatively high since it can interrupt the processing of six other job types);
- 2) The SA/KO specifies the interruptability matrix for the jobs (e.g. copy job can interrupt a print job);
- 3) When a job is created within the printing system **10** (FIG. 1), the job is assigned a priority based on service type;
- 4) Each system resource maintains a queue of jobs for the resource (in one example, the jobs in each queue are ordered according to job priority);
- 5) When a system resource is ready to process a job, the resource processes the job with the highest priority in its queue;

6) If a resource is processing a job and a new job requires the resource then

if (the new job's priority is greater than the current job's priority) and (the current job is not an "interrupt" job) then

if (the new job's service can interrupt the current job's service)

then (the new job interrupts the current job)

else (add the new job to the resource's job queue)

else (add the new job to the resource's job queue); and

If the resource has an interrupted job and the resource completes processing all higher priority interrupting jobs, the resource resumes the proceeding of interrupted jobs. See Salgado, col. 16, line 34 - col. 17, line 6.

Thus one of ordinary skill would understand that *Salgado* discloses a technique of assigning a priority to each job to resolve contentions among the device resources.

Mishima discloses the use of plural compression/expansion processors is set based on the input data and the number of compression/expansion processors used is determined by a mode of operation (i.e., copy, print, scan, fax). See Mishima, Abstract. In other words, the plural compression/expansion processors are used in the processing of a single type of job, and preferably a print job. As discussed in col. 5, lines 55-65, operation of the compression/expansion processors are adjusted to complete a job having M copies of N documents.

Neither *Salgado* nor *Mishima*, however, disclose or suggest at least a manner of resolving the contention between jobs by changing a way to execute an external job and a scanning job based on whether an activation instruction of the scanning job is made by the operation device or from an outside. At best, the combined teachings result in a device that resolves contentions between printing operations by assigning a priority to each job. (See Salgado). Each job being processed by one or plural compression/expansion processes based on its size. (See Mishima).

In summary, *Salgado* and *Mishima* when applied individually or collectively fail to disclose or suggest every feature and/or the combination of features recited in Applicants' claims. As a result, a *prima facie* case of obviousness has not been established. Withdrawal of this rejection, therefore, is respectfully requested.

Claims 17-19 are newly added. Each of these claims depend from one of claims 1, 6, or 11, where applicable. Applicant believes that these claims are distinguishable over the combination of *Salgado* and *Mishima* by virtue of their dependency and further because of the additional features recited therein. Favorable consideration and allowance is respectfully requested.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants submit that claims 1, 3, 4, 6, 8, 9, 11, 13, 14, 16, and 17-19 are allowable, and this application is in condition for allowance. In the event any issues adverse to allowance remain, the PTO is encouraged to contact the undersigned to further advance prosecution of this application.

Respectfully submitted,

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